

**EIGHTY-NINTH GENERAL ASSEMBLY
2022 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

April 12, 2022

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
<u>SF 2287</u>	<u>H-8357</u>	Withdrawn	HALL of Woodbury
<u>SF 2287</u>	<u>H-8358</u>		HALL of Woodbury
<u>SF 2374</u>	<u>H-8356</u>		LUNDGREN of Dubuque
<u>SF 2378</u>	<u>H-8359</u>		LOHSE of Polk
<u>SF 2378</u>	<u>H-8360</u>		LOHSE of Polk
<u>SF 2378</u>	<u>H-8361</u>		LOHSE of Polk

Fiscal Notes

[SF 2376](#) — [Overweight Vehicle Permits](#) (LSB6202SZ.1)

[SF 2383](#) — [Workforce Omnibus](#) (LSB5183SZ.1)

[HF 2584](#) — [Ambulatory Surgical Center, Certification or Accreditation](#)
(LSB5832HZ)

SENATE FILE 2287

H-8357

1 Amend Senate File 2287, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 4, by striking lines 13 through 23.

By HALL of Woodbury

H-8357 FILED APRIL 12, 2022

WITHDRAWN

SENATE FILE 2287

H-8358

1 Amend Senate File 2287, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 4, line 14, before <violated> by inserting
4 <intentionally>

By HALL of Woodbury

H-8358 FILED APRIL 12, 2022

SENATE FILE 2374

H-8356

1 Amend Senate File 2374, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 71, after line 18 by inserting:

4 <DIVISION ____

5 RESTAURANT FOOD DELIVERY

6 Sec. _____. NEW SECTION. 137G.1 **Definitions.**

7 As used in this chapter, unless the context otherwise
8 requires:

9 1. "*Consent*" means a mutual acknowledgment by a restaurant
10 and a food delivery platform, which may be obtained
11 electronically.

12 2. "*Food delivery platform*" or "*platform*" means a business
13 that acts as a third-party intermediary by taking and arranging
14 for the delivery or pickup of orders from multiple restaurants
15 for consumers, not including delivery or pickup orders placed
16 directly with, and fulfilled by, a restaurant. "*Food delivery*
17 *platform*" does not include websites, mobile applications, or
18 other electronic services that do not post restaurant menus,
19 logos, or pricing information on the platform.

20 3. "*Likeness*" means a mark or trade name.

21 4. "*Mark*" means a trademark or service mark, regardless of
22 whether the trademark or service mark is actually registered
23 with the state or other entity.

24 5. "*Restaurant*" means a business in the state that operates
25 its own permanent food service facilities with commercial
26 cooking equipment on its premises and prepares and offers to
27 sell multiple entrees for consumption on or off the premises.

28 6. "*Trade name*" means a name used by a person or entity to
29 identify a person or entity's vocation.

30 Sec. _____. NEW SECTION. 137G.2 **Restaurant and food delivery**
31 **platform — requirements — penalties.**

32 1. A food delivery platform shall be prohibited from all of
33 the following:

34 a. Using a restaurant's likeness without the consent of the
35 restaurant owner or the owner's designee in a manner that could

1 be reasonably interpreted to falsely suggest sponsorship or
2 endorsement by the restaurant.

3 *b.* Taking and arranging for the delivery or pickup of an
4 order from a restaurant without the consent of the restaurant
5 owner or the owner's designee.

6 *c.* Intentionally inflating or altering a restaurant's
7 pricing without the consent of the restaurant owner or the
8 owner's designee, except that a food delivery platform may
9 charge additional fees to the consumer if the fees are noted
10 separately to the consumer.

11 *d.* Attempting to charge a restaurant, or expecting the
12 restaurant to pay or absorb any fee, commission, or charge
13 without the consent of the restaurant owner or the owner's
14 designee.

15 2. A food delivery platform shall do all of the following:

16 *a.* Clearly provide to the consumer a mechanism to express
17 concerns regarding an order directly to the food delivery
18 platform.

19 *b.* Remove a restaurant from the food delivery platform's
20 services within ten days of receiving the restaurant's request
21 for removal unless an agreement between the food delivery
22 platform and the restaurant states otherwise.

23 3. An agreement between a food delivery platform and a
24 restaurant to take and arrange for the delivery or pickup of
25 orders shall include all of the following:

26 *a.* Authorization for the food delivery platform to take
27 and arrange for the delivery and pickup of orders from the
28 restaurant.

29 *b.* Clear identification of any fee, commission, or charge
30 that the restaurant will be required to pay or absorb.

31 4. An agreement between a food delivery platform and a
32 restaurant to take and arrange for the delivery or pickup of
33 orders shall not include provisions, clauses, or covenants that
34 require a restaurant to indemnify a food delivery platform,
35 or any employee, independent contractor, or agent of the food

1 delivery platform, for any damages or harm caused by the
2 actions or omissions of the food delivery platform or any
3 employee, independent contractor, or agent of the food delivery
4 platform.

5 5. a. A provision of an agreement between a food delivery
6 platform and a restaurant, or the obtaining of consent, that is
7 contrary to this chapter is void and unenforceable.

8 b. An aggrieved restaurant or the attorney general may seek
9 judicial enforcement of the requirements of this chapter in an
10 action brought against a food delivery platform in the county
11 in which the violation occurred. The following civil penalties
12 shall be imposed for a violation of this chapter:

13 (1) A one thousand dollar penalty for a first violation.

14 (2) A two thousand five hundred dollar penalty for a second
15 violation.

16 (3) A ten thousand dollar penalty for a third and subsequent
17 violation.

18 6. a. The attorney general or a restaurant may, in addition
19 to penalties imposed pursuant to subsection 5, bring an action
20 to enjoin a violation of this chapter. If the court finds a
21 violation of this chapter, the court shall issue an injunction
22 against a food delivery platform and may require the platform
23 to pay to the injured restaurant all profits derived from, or
24 damages resulting from, the wrongful acts and order that the
25 wrongful acts be terminated.

26 b. If the court finds that the food delivery platform
27 committed a wrongful act in bad faith in violation of this
28 chapter by not entering into an agreement or obtaining consent,
29 the court, in the court's discretion, shall:

30 (1) Enter a judgment in an amount not to exceed three times
31 the amount of profits and damages.

32 (2) Award reasonable attorney's fees to the restaurant.

33 Sec. ____ . NEW SECTION. 137G.3 Food safety — liability.

34 1. Orders delivered through a food delivery platform shall
35 be transported in a manner that meets all of the following

1 requirements:

2 *a.* The order shall be maintained at a holding temperature
3 necessary to prevent spoilage.

4 *b.* All bags or containers in which orders are being
5 transported or delivered from a restaurant to a customer shall
6 be closed or sealed by the restaurant with a tamper-resistant
7 method.

8 *c.* The individual delivering orders shall not have any
9 passengers, including animals or children when orders for
10 delivery are being transported in the vehicle, except for
11 one adult passenger not engaging in payment for ride-share
12 services.

13 *d.* Smoking or vaping in the vehicle while orders are in the
14 vehicle shall be prohibited.

15 2. A food delivery platform transporting orders shall be
16 liable for any harm or injury caused by a failure by the food
17 delivery platform to meet the requirements of this chapter.

18 Sec. _____. APPLICABILITY. This division of this Act applies
19 to agreements entered into between a restaurant and a food
20 delivery platform on or after the effective date of this Act.>

21 2. Title page, line 1, after <Act> by inserting <concerning
22 the regulation of food and beverages,>

23 3. Title page, line 1, by striking <licensing,> and
24 inserting <delivery of restaurant food,>

25 4. Title page, line 2, after <fees> by inserting <and civil
26 penalties>

27 5. Title page, line 2, after <date> by inserting <and
28 applicability>

29 6. By renumbering as necessary.

By LUNDGREN of Dubuque

SENATE FILE 2378

H-8359

1 Amend Senate File 2378, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <Section 1. Section 455C.1, subsections 1 and 6, Code 2022,
6 are amended to read as follows:

7 1. "*Beverage*" means wine as defined in section 123.3,
8 subsection 54, alcoholic liquor as defined in section 123.3,
9 subsection 5, beer as defined in section 123.3, subsection
10 7, high alcoholic content beer as defined in section 123.3,
11 subsection 22, canned cocktail as defined in section 123.3,
12 subsection 11, mineral water, soda water, and similar
13 carbonated soft drinks in liquid form and intended for human
14 consumption.

15 6. "*Dealer agent*" means a person who solicits or picks up
16 empty beverage containers ~~from a dealer~~ for the purpose of
17 returning the empty beverage containers to a distributor or
18 manufacturer.

19 Sec. 2. Section 455C.1, Code 2022, is amended by adding the
20 following new subsections:

21 NEW SUBSECTION. 11A. "*Mobile redemption system*" means a
22 redemption center location at which a consumer may return empty
23 beverage containers on which a refund value has been paid that
24 uses innovative technology to process empty beverage containers
25 and return the amount of the refund value to consumers.

26 NEW SUBSECTION. 12A. "*Participating dealer*" means a dealer
27 who accepts the return of empty beverage containers from a
28 consumer.

29 Sec. 3. Section 455C.2, Code 2022, is amended to read as
30 follows:

31 **455C.2 Refund values.**

32 1. A refund value of ~~not less than~~ five cents shall be paid
33 by the consumer on each beverage container sold in this state
34 by a dealer for consumption off the premises. Upon return of
35 the empty beverage container upon which a refund value has

1 been paid to ~~the~~ a participating dealer or person operating
2 a redemption center and acceptance of the empty beverage
3 container by the participating dealer or person operating a
4 redemption center, the participating dealer or person operating
5 a redemption center shall return the amount of the refund value
6 to the consumer within a reasonable time not to exceed ten
7 days.

8 2. a. In addition to the refund value provided in
9 subsection 1 ~~of this section, a dealer, or person operating a~~
10 ~~redemption center who redeems empty beverage containers or a~~
11 ~~dealer agent shall be reimbursed by the distributor required~~
12 to accept the empty beverage containers under section 455C.3
13 shall provide reimbursement in an amount which that is one
14 cent per container for containers accepted from a dealer agent
15 and three cents per container for containers accepted from a
16 participating dealer or redemption center. A dealer, dealer
17 agent, or ~~person operating a~~ redemption center may compact
18 empty metal beverage containers with the approval of the
19 distributor required to accept the containers.

20 b. A distributor who pays a handling fee for beverage
21 containers that used to contain beer, including high-alcoholic
22 content beer, may claim a refund of the barrel tax established
23 in section 123.136 paid by the distributor in the amount of one
24 cent for each such beverage container accepted. The department
25 of revenue shall prescribe forms for a distributor to use to
26 claim a refund under this paragraph.

27 Sec. 4. Section 455C.3, subsections 1, 2, and 4, Code 2022,
28 are amended to read as follows:

29 1. A participating dealer shall not refuse to accept from a
30 consumer any empty beverage container of the kind, size, and
31 brand sold by the participating dealer, or refuse to pay to the
32 consumer the refund value of a beverage container as provided
33 under section 455C.2.

34 2. A distributor shall accept and pick up from a
35 participating dealer served by the distributor or a redemption

1 center for a dealer served by the distributor at least weekly,
2 or when the distributor delivers the beverage product if
3 deliveries are less frequent than weekly, any empty beverage
4 container of the kind, size, and brand sold by the distributor,
5 and shall pay to the participating dealer or ~~person operating~~
6 a redemption center the refund value of a beverage container
7 and the reimbursement as provided under section 455C.2 within
8 one week following pickup of the containers or when the
9 participating dealer or ~~redemption center~~ normally pays the
10 distributor for the deposit on beverage products purchased from
11 the distributor if less frequent than weekly. A distributor
12 or employee or agent of a distributor is not in violation
13 of this subsection if a redemption center is closed when the
14 distributor attempts to make ~~a regular delivery or~~ a regular
15 pickup of empty beverage containers. This subsection does
16 not apply to a distributor selling alcoholic liquor to the
17 alcoholic beverages division of the department of commerce.

18 4. A distributor shall accept from a dealer agent any
19 empty beverage container of the kind, size, and brand sold by
20 the distributor and ~~which~~ that was picked up by the dealer
21 agent ~~from a dealer~~ within the geographic territory served
22 by the distributor and the distributor shall pay the dealer
23 agent the refund value of the empty beverage container and the
24 reimbursement as provided in section 455C.2.

25 Sec. 5. Section 455C.4, Code 2022, is amended to read as
26 follows:

27 **455C.4 Refusal to accept containers.**

28 1. Except as provided in section 455C.5, subsection 3, a
29 dealer, ~~a person operating~~ a redemption center, a distributor,
30 or a manufacturer may refuse to accept any empty beverage
31 container ~~which~~ that does not have stated on it a refund value
32 as provided under section 455C.2.

33 2. a. A dealer may refuse to accept and to pay the
34 refund value of any empty beverage container if ~~the place of~~
35 ~~business of the dealer and the kind and brand of empty beverage~~

1 ~~containers are included in an order of the department approving~~
2 ~~a redemption center under section 455C.6~~ any of the following
3 apply:

4 (1) The dealer holds a food establishment license under
5 chapter 137F to prepare or serve food, has a certified food
6 protection manager as required by the 2017 United States food
7 and drug administration food code and supplement, and sells
8 time/temperature control for safety food as defined in section
9 137F.2.

10 (2) The dealer has entered an agreement with an approved
11 redemption center for the operation of a mobile redemption
12 system and all of the following apply:

13 (a) The dealer provides adequate space, utilities, and
14 internet connection to operate the mobile redemption system.

15 (b) The agreement does not require additional payment to the
16 dealer or the mobile redemption system.

17 (3) The dealer's place of business is in a county with a
18 population of more than thirty thousand and within ten miles
19 of an approved redemption center or if the dealer's place of
20 business is in a county with a population of thirty thousand
21 or fewer and within fifteen miles of an approved redemption
22 center.

23 b. A dealer who refuses to accept and to pay the refund
24 value on any empty beverage container pursuant to this
25 subsection shall conspicuously display on the front door of
26 the dealer's place of business a notice that the dealer does
27 not accept empty beverage containers. The notice shall also
28 provide the location of the nearest approved redemption center
29 to the dealer's place of business. After the department has
30 made available an electronic method for locating approved
31 redemption centers pursuant to paragraph "c", a dealer may
32 direct consumers to such electronic method instead of providing
33 the location of the nearest approved redemption center on the
34 notice.

35 c. The department shall make available to the public an

1 electronic method of locating approved redemption centers.

2 d. A dealer who provides space for a mobile redemption
3 system pursuant to paragraph "a", subparagraph (2), shall not be
4 considered to be in violation of any county or city ordinance
5 that would otherwise limit the ability of the dealer to provide
6 such space as long as the mobile redemption system operates
7 in a location that is not zoned primarily for residential
8 purposes.

9 ~~3. A dealer or a distributor may refuse to accept and to pay~~
10 ~~the refund value of an empty wine or alcoholic liquor container~~
11 ~~which is marked to indicate that it was sold by a state liquor~~
12 ~~store. The alcoholic beverages division shall not reimburse~~
13 ~~a dealer or a distributor the refund value on an empty wine or~~
14 ~~alcoholic liquor container which is marked to indicate that the~~
15 ~~container was sold by a state liquor store.~~

16 ~~4.~~ 3. A class "E" liquor control licensee may refuse to
17 accept and to pay the refund value on an empty alcoholic liquor
18 container from a participating dealer or a redemption center
19 or from a person acting on behalf of or who has received empty
20 alcoholic liquor containers from a participating dealer or a
21 redemption center.

22 ~~5.~~ 4. A manufacturer or distributor may refuse to accept
23 and to pay the refund value and reimbursement as provided in
24 section 455C.2 on any empty beverage container that was picked
25 up by a dealer agent ~~from a dealer~~ outside the geographic
26 territory served by the manufacturer or distributor.

27 Sec. 6. Section 455C.5, subsection 1, Code 2022, is amended
28 to read as follows:

29 1. a. Each beverage container sold or offered for sale in
30 this state by a dealer shall clearly indicate the refund value
31 of the container by embossing or by a stamp, label, or other
32 method securely affixed to the container, ~~the refund value of~~
33 ~~the container~~. The department shall specify, by rule, the
34 minimum size of the refund value indication on the beverage
35 containers.

1 b. The department of revenue shall require the registration
2 of the universal product code for each beverage container
3 using a method of registration determined by the department of
4 revenue.

5 Sec. 7. Section 455C.6, subsection 1, Code 2022, is amended
6 to read as follows:

7 1. To facilitate the return of empty beverage containers
8 and to serve dealers of beverages, any person may establish a
9 redemption center, subject to the approval of the department,
10 at which consumers may return empty beverage containers
11 and receive payment of the refund value of such beverage
12 containers. A participating dealer may act as a redemption
13 center for purposes of this chapter.

14 Sec. 8. Section 455C.12, subsections 2 and 3, Code 2022, are
15 amended to read as follows:

16 2. A distributor who collects or attempts to collect
17 a refund value on an empty beverage container when the
18 distributor has paid the refund value on the container to a
19 participating dealer, redemption center, or consumer is guilty
20 of a fraudulent practice.

21 3. Any person who does any of the following acts is guilty
22 of a fraudulent practice:

23 a. Collects or attempts to collect the refund value on the
24 container a second time, with the knowledge that the refund
25 value has once been paid by the distributor to a participating
26 dealer, redemption center, or consumer.

27 b. Manufactures, sells, possesses, or applies a false or
28 counterfeit label or indication which that shows or purports to
29 show a refund value for a beverage container, with intent to
30 use the false or counterfeit label or indication.

31 c. Collects or attempts to collect a refund value on
32 a container with the use of a false or counterfeit label
33 or indication showing a refund value, knowing the label or
34 indication to be false or counterfeit.

35 Sec. 9. Section 455C.12, Code 2022, is amended by adding the

1 following new subsections:

2 NEW SUBSECTION. 6. A person who knowingly attempts to
3 redeem a beverage container that is not properly marked as
4 required by section 455C.5, subsection 1, shall be subject to a
5 civil penalty not to exceed ten dollars per improperly marked
6 beverage container, but not to exceed five thousand dollars
7 total per attempted transaction.

8 NEW SUBSECTION. 7. Except as provided in subsection 6,
9 a person who violates any provision of this chapter shall
10 be subject to a civil penalty of two thousand dollars per
11 violation, which shall be assessed and collected in the same
12 manner as provided in section 455B.109. Any civil penalty
13 collected under this chapter shall be deposited in the bottle
14 bill fund established in section 455C.12D.

15 Sec. 10. NEW SECTION. 455C.12A **Administrative enforcement**
16 **— compliance orders.**

17 The director may issue any order necessary to secure
18 compliance with or prevent a violation of the provisions of
19 this chapter or any rule adopted or permit or order issued
20 pursuant to this chapter. The person to whom such compliance
21 order is issued may cause to be commenced a contested case
22 within the meaning of chapter 17A by filing within thirty
23 days a notice of appeal to the commission. On appeal, the
24 commission may affirm, modify, or vacate the order of the
25 director.

26 Sec. 11. NEW SECTION. 455C.12B **Judicial review.**

27 Judicial review of any order or other action of the
28 commission or director may be sought in accordance with the
29 terms of chapter 17A. Notwithstanding the terms of chapter
30 17A, petitions for judicial review may be filed in the district
31 court of the county in which the alleged offense was committed.

32 Sec. 12. NEW SECTION. 455C.12C **Civil actions for compliance**
33 **— penalties.**

34 1. The attorney general, on request of the department, shall
35 institute any legal proceedings necessary to obtain compliance

1 with an order of the commission or the director, including
2 proceedings for a temporary injunction, or prosecuting any
3 person for a violation of an order of the commission or the
4 director, the provisions of this chapter, or any rules adopted
5 or permit or order issued pursuant to this chapter.

6 2. Any person who violates any order issued pursuant to
7 section 455C.12A shall be subject to a civil penalty not to
8 exceed two thousand dollars for each day of such violation.

9 Sec. 13. NEW SECTION. **455C.12D Bottle bill fund.**

10 A bottle bill fund is established in the state treasury
11 under the control of the department. The fund shall consist
12 of moneys deposited in the fund pursuant to section 455C.12,
13 subsection 7, and any other moneys appropriated to or deposited
14 in the fund. Moneys in the fund are appropriated to the
15 department for purposes of administering and enforcing this
16 chapter, including reimbursing the attorney general for costs
17 incurred by the attorney general in enforcing this chapter.
18 Notwithstanding section 8.33, moneys in the fund that remain
19 unencumbered or unobligated at the close of a fiscal year shall
20 not revert but shall remain available for expenditure for the
21 purposes designated. Notwithstanding section 12C.7, subsection
22 2, interest or earnings on moneys in the fund shall be credited
23 to the fund.

24 Sec. 14. Section 455C.13, Code 2022, is amended to read as
25 follows:

26 **455C.13 ~~Distributors'~~ Collection and disposal agreements**
27 **authorized.**

28 1. A distributor, dealer, or redemption center may enter
29 into a contract or agreement with any other distributor,
30 manufacturer, or person for the purpose of collecting or ~~paying~~
31 ~~the refund value on, or disposing of,~~ beverage containers as
32 provided in this chapter.

33 2. For purposes of this chapter, any contracts entered into
34 pursuant to this section for the collection or disposal of
35 empty beverage containers shall not be deemed to interfere with

1 the refund value pursuant to section 455C.2.

2 Sec. 15. Section 455C.16, Code 2022, is amended to read as
3 follows:

4 **455C.16 Beverage containers — disposal at sanitary landfill**
5 **prohibited.**

6 ~~Beginning July 1, 1990, the~~ The final disposal of beverage
7 containers ~~by a dealer, distributor, or manufacturer, or~~
8 ~~person operating a redemption center, in a sanitary landfill,~~
9 ~~is prohibited.~~ Beginning September 1, 1992, including the
10 final disposal of beverage containers that used to contain
11 alcoholic liquor as defined in section 123.3, subsection 5,
12 by a participating dealer, distributor, ~~or~~ manufacturer, or
13 ~~person operating a redemption center in a sanitary landfill,~~
14 is prohibited.

15 Sec. 16. NEW SECTION. **455C.18 Unclaimed refund value and**
16 **handling fees.**

17 Any amount of refund value or handling fees possessed by a
18 distributor after the distributor has made payments required
19 pursuant to this chapter shall be considered the property of
20 the distributor.

21 Sec. 17. **LEGISLATIVE FISCAL COMMITTEE REVIEW.**

22 1. The legislative fiscal committee established in section
23 2.45 shall hold a meeting during the legislative interim
24 immediately preceding the 2026 regular legislative session.
25 During the meeting, the committee shall review the enforcement
26 of chapter 455C by the department of natural resources,
27 including the collection of civil penalties, the report
28 submitted by the attorney general pursuant to subsection 2,
29 whether and how many redemption centers have been approved
30 by the department, the adequacy of the reimbursement amount
31 under section 455C.2, and any other information the committee
32 deems important. The committee shall submit a report of its
33 findings and recommendations to the general assembly no later
34 than January 31, 2026.

35 2. The attorney general shall submit a report to the

1 general assembly prior to the legislative fiscal committee's
2 meeting under subsection 1. The report shall detail any legal
3 proceedings arising under chapter 455C since January 1, 2023.

4 Sec. 18. REFUSAL TO ACCEPT BEVERAGE CONTAINERS.

5 1. A dealer may refuse to accept beverage containers before
6 January 1, 2023, if any of the following apply:

7 a. The dealer has entered an agreement with an approved
8 redemption center for the operation of a mobile redemption
9 system and all of the following apply:

10 (1) The dealer provides adequate space, utilities, and
11 internet connection to operate the mobile redemption system.

12 (2) The agreement does not require additional payment to the
13 dealer or the mobile redemption system.

14 b. The dealer's place of business is in a county with a
15 population of more than thirty thousand and within ten miles
16 of an approved redemption center or if the dealer's place of
17 business is in a county with a population of thirty thousand
18 or fewer and within fifteen miles of an approved redemption
19 center.

20 2. A dealer who refuses to accept beverage containers
21 pursuant to this section shall conspicuously display on the
22 front door of the dealer's place of business a notice that the
23 dealer does not accept empty beverage containers. The notice
24 shall also provide the location of the nearest redemption
25 center to the dealer's place of business.

26 Sec. 19. EFFECTIVE DATE.

27 1. Except as provided in subsections 2 or 3, this Act takes
28 effect January 1, 2023.

29 2. The section of this Act amending section 455C.5,
30 subsection 1, takes effect November 15, 2023.

31 3. The section of this Act allowing a dealer to refuse to
32 accept beverage containers before January 1, 2023, being deemed
33 of immediate importance, takes effect upon enactment.>

34 2. Title page, by striking lines 1 through 4 and inserting
35 <An Act relating to beverage containers control provisions,

H-8359 (Continued)

1 including handling fees, refund value, applicability to certain
2 beverages, and acceptance of beverage containers, providing
3 penalties, and including effective date provisions.>

By LOHSE of Polk

[H-8359](#) FILED APRIL 12, 2022

SENATE FILE 2378

H-8360

- 1 Amend the amendment, H-8359, to Senate File 2378, as
- 2 amended, passed, and reprinted by the Senate, as follows:
- 3 1. Page 10, line 24, after <nearest> by inserting <approved>

By LOHSE of Polk

H-8360 FILED APRIL 12, 2022

SENATE FILE 2378

H-8361

- 1 Amend the amendment, H-8359, to Senate File 2378, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 1, before line 5 by inserting:
4 <<Sec. _____. Section 22.7, Code 2022, is amended by adding
5 the following new subsection:
6 NEW SUBSECTION. 75. Identifying information submitted
7 to the department of revenue from a distributor pursuant to
8 section 455C.2, subsection 2, paragraph "b". However, this
9 subsection shall not be construed to prohibit the dissemination
10 of aggregated information that does not identify a specific
11 distributor.>
12 2. Page 2, line 26, after <paragraph.> by inserting
13 <Identifying information collected by the department of
14 revenue pursuant to this paragraph that can be used to identify
15 a specific distributor shall be considered confidential
16 information pursuant to section 22.7, subsection 75.>
17 3. By renumbering as necessary.

By LOHSE of Polk

H-8361 FILED APRIL 12, 2022